



Docket No. 77772/23372

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : FISHMAN, et al.

FOR : MULTICHANNEL OPTICAL  
COMMUNICATION SYSTEM AND METHOD  
UTILIZING WAVELENGTH AND COHERENCE  
DIVISION MULTIPLEXING

SERIAL NO. : 09/416,081

FILED : October 12, 1999

ART UNIT : 2633

EXAMINER : Sedighian, Reza

DOCKET NO. : 77772/23372

**RECEIVED**

MAR 19 2003

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Attention: Office of Petitions  
 Assistant Commissioner for Patents  
 Box DAC  
 Washington, D.C. 20231

Sir:

The above-identified application became abandoned as of February 6, 2003, for failure to timely and properly file the Issue Fee in response to the Notice of Allowance and Issue Fee Due dated November 6, 2002.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed herewith, please find the following:

- 1) Petition Fee in the amount of \$650.00 pursuant to 37 CFR 1.17(m) for small entity;

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- 2) Issue Fee Transmittal and check in the Amount of \$650.00 for payment of the Issue Fee; and
- 3) Statement that the entire delay was unintentional.

Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

#### STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.


#### REMARKS

It is respectfully requested that this Petition for Revival of an Application for Patent Abandoned Unintentionally be granted. Attached are two checks in the amount of \$650.00 each for payment of the Petition under 37 C.F.R. 1.17(m) and payment of the Issue Fee. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0902 (77772/23372).

Respectfully submitted,

ARTER & HADDEN LLP

Date: March 17, 2003

  
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